

The Gazette



of India

EXTRAORDINARY
PART II—Section 2
PUBLISHED BY AUTHORITY



No. 46] NEW DELHI, TUESDAY, NOVEMBER 22, 1960/AGRAHAYANA 1, 1880

LOK SABHA

The following Bills were introduced in Lok Sabha on the 22nd November, 1960:—

*BILL No. 76 OF 1960

A Bill further to amend the Industrial Employment (Standing Orders) Act, 1946.

BE it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

1. This Act may be called the Industrial Employment (Standing Orders) Amendment Act, 1960.

2. In section 1 of the Industrial Employment (Standing Orders) Act, 1946 (hereinafter referred to as the principal Act), for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) It applies to every industrial establishment wherein one hundred or more workmen are employed, or were employed on any day of the preceding twelve months:

Provided that the appropriate Government may, after giving not less than two months' notice of its intention so to do, by notification in the Official Gazette, apply the provisions of this Act to any industrial establishment employing such number of persons less than one hundred as may be specified in the notification:

Provided further that nothing in this Act shall apply to any industry to which the Provisions of Chapter VII of the Bombay Industrial Relations Act, 1946 apply.”

Bombay Act
11 of 1947.

*The President has, in pursuance of clause (3) of article 117 of the Constitution of India, recommended to Lok Sabha the consideration of the Bill.

Amendment
of section 2.

3. In section 2 of the principal Act,—

(i) for clause (c), the following clause shall be substituted, namely:—

“(c) ‘Certifying Officer’ means a Labour Commissioner or a Regional Labour Commissioner, and includes any other officer appointed by the appropriate Government, by notification in the Official Gazette, to perform all or any of the functions of a Certifying Officer under this Act;”;

(ii) in sub-clause (i) of clause (d), for the words, letter, brackets and figures ‘clause (e) of sub-section (1) of section 9 of the Factories Act, 1934’, the words, letter, brackets and figures ‘clause (f) of sub-section (1) of section 7 of the Factories Act, 1948’ shall be substituted;

(iii) in clause (e), for sub-clause (ii), the following sub-clause shall be substituted, namely:—

“(ii) a factory as defined in clause (m) of section 2 of the Factories Act, 1948, or”;

(iv) in sub-clause (i) of clause (i), for the words, brackets and figures “the Navy (Discipline) Act, 1934”, the words and figures “the Navy Act, 1957” shall be substituted.

Amendment
of section 6.

4. In section 6 of the principal Act, in sub-section (1), for the words “twenty-one days”, the words “thirty days” shall be substituted.

Insertion of
new section

5. After section 14 of the principal Act, the following section shall be inserted, namely:—

Delegation
of powers.

“14A. The Central Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act or rules made thereunder shall, in relation to such matters and subject to such conditions, if any, as may be specified in the direction, be exercisable also by such officer or authority subordinate to the Central Government or by the State Government or by such officer or authority subordinate to the State Government, as may be specified in the notification.”.

Amendment
of section 15.

6. In section 15 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Every rule made by the Central Government under this section shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or

in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule
5 shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.

STATEMENT OF OBJECTS AND REASONS

The Industrial Employment (Standing Orders) Act, 1946 at present applies to establishments employing 100 or more workmen. In order to widen the coverage of the Act it is proposed to empower the Central Government to extend its provisions to industrial establishments employing less than 100 persons after giving them not less than two months' notice of its intention so to do. It is also proposed to provide for the appointment of additional Certifying Officers to ensure that the work of certifying standing orders is not unduly held up.

2. ~~Section 8(1) of the Act which provides for a period of 21 days~~ for filing an appeal is proposed to be amended to provide for a limit of thirty days, as the present time limit has been found to be rather short.

3. Opportunity has also been taken to amend the Act so as to empower the Central Government to delegate any of its powers as the "appropriate Government" to State Governments whenever considered necessary. Few other formal amendments in the Act have also been made.

NEW DELHI;

G. L. NANDA.

The 22nd October, 1960.

FINANCIAL MEMORANDUM

Clause 3 of the Bill enables the Central Government to appoint any other officer to perform the functions of a Certifying Officer under the Act. It is proposed to appoint Conciliation Officers (Central) as Certifying Officers. Such appointments will not involve any additional expenditure.

*BILL No. 77 OF 1960

A Bill to amend the Railways Passenger Fares Act, 1957.

BE it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

Short title
and com-
mencement.

1. (1) This Act may be called the Railway Passenger Fares (Amendment) Act, 1960.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Substitution
of the
Schedule.

2. In the Railway Passenger Fares Act, 1957, for the Schedule, the following Schedule shall be substituted, namely:—

“THE SCHEDULE

(See section 3)

1	2	10
Description of traffic	Rate of tax	
1. Passengers travelling by railway on season tickets.	Nil.	
2. Passengers travelling by railway for distances up to 25 kilometres (inclusive).	Nil.	15
3. Passengers travelling by railway for distances from 26 kilometres to 40 kilometres (inclusive).	5% of fare.	20

*The President has, in pursuance of clause (1) of article 117 and clause (1) of article 274 of the Constitution of India, recommended to Lok Sabha, the introduction of the Bill.

	1	2
	<i>Description of traffic</i>	<i>Rate of tax</i>
5	4. Passengers travelling by railway for distances from 50 kilometres to 805 kilometres (inclusive).	15% of fare.
	5. Passengers travelling by railway for distances over 805 kilometres.	10% of fare.
	6. Passengers travelling on rail travel coupons.	12½% of the cost of the coupons.
10	<i>Explanation.</i> —For the purposes of this Schedule, distances shall be computed according to the rules for the time being in force relating thereto made under the Indian Railways Act, 1890.”	

STATEMENT OF OBJECTS AND REASONS

Under the Standards of Weights and Measures Act, 1956 (89 of 1956), the metric system of reckoning distances was adopted by the Railway administrations with effect from the 1st April, 1960. The present Bill merely seeks to replace the Schedule to the Railway Passenger Fares Act, 1957 (25 of 1957) so as to express the tax leviable under that Act in terms of metric units instead of miles.

NEW DELHI;

MORARJI DESAI.

The 23rd October, 1960.

M. N. KAUL,

Secretary.